

jc960
11/13/01

TO

12-10-01

FRUM & ROTH
53 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604-3606
312.922.6262 PHONE
312.922.7747 FAX

A
11/13/01

11011 U.S. PRO
110/010351

Honorable Commissioner
of Patents and Trademarks
Box Patent Application
Washington, D.C. 20231

Attorney Docket Number: 12354

Date: November 13, 2001

UTILITY PATENT CIP APPLICATION TRANSMITTAL
UNDER 37 CFR 1.53

Transmitted herewith for filing is the patent application of Inventor(s):

Ernesto DE LA CONCHA ESTRADA

For (Title): ECOLOGICAL MIXTURE FOR CONSTRUCTION AND METHOD FOR WASTE DISPOSAL

1) **This is a Continuation-in-Part Patent Application**

2) **The Continuation-in-Part application being transmitted claims the benefit of prior US Applications**

Relate Back - 35 USC 120

This is a continuation-in-part of copending application(s) US Serial Number(s) 09/260,742 filed on March 3, 1999.

4) **Notification in parent Application of this filing**

A notification of the filing of this Continuation-in-part application is being filed in the parent application from which this application claims priority under 35 USC 120.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the document referred to as enclosed therein are being deposited with the United States Postal Service on November 13, 2001 in an envelope as "Express Mail Post Office Addressee", mailing label number EL277550248US addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Jennifer M. Schoen
Name of person mailing paper


Signature of person mailing paper

5) **Relate Back - 35 USC §119, 35 USC § 120, 35 USC § 365 - Priority claim for prior application(s)**

The prior US application(s), including any prior International Application designating the US, identified above in item 3, in turn itself claim(s) foreign priority(ies) as follows:

COUNTRY	APPLICATION NUMBER	FILED ON
Mexico	983707	May 11, 1998

The certified copy(ies) has(have)

- been filed in prior application number 09/260,742 which was filed on March 3, 1999.
- is (are) attached.

6) **Maintenance of copendency of prior application**

- A. A petition and fee extending the term in the pending prior application until , was previously filed in the prior application.
- A copy of the petition previously filed in the prior application is attached.
- B. A petition for extension of time is hereby filed in the pending prior application extending the term from the original due date of August 10, 2001 for three months to November 10, 2001.
- A copy of the petition now being filed in the prior application is attached.
- C. The prior application is under active prosecution.

Further inventorship statement where benefit of prior application(s) claimed

This application discloses and claims additional disclosure by amendment and a new declaration or oath is being file. With respect to the prior application, the inventor(s) in this application are:

- The same
- the following additional inventor(s) have been added

8) **Papers enclosed which are required for filing date under 37 CFR 1.53(b) (Regular) Application**

- 11 Pages of description
- 2 Pages of claims
- 1 Page of Abstract
- 0 Sheets of drawings
- Formal

Informal

9) **Additional papers enclosed**

- Information Disclosure Statement
- Form PTO - 1449
- Citations
- Preliminary Amendment

10) **Language**

- English
- Non-English
- The attached translation is a verified translation under 37 CFR 1.52(d)

11) **Oath or Declaration of Inventorship**

- is attached
- will follow

12) **Assignment**

- is attached
- will follow

13) **Amendments**

- Amendment canceling extra claims enclosed
- Amendment deleting multiple dependencies enclosed

14) **Filing Fee Calculation:**

Description	Claims Filed	Claims Allowed	Extra Claims	Rate of Extra Claims (per claim)	Fees
Dependent Claims	8	20	0	\$9	\$0
Independent Claims	1	3	0	\$80	\$0
			Yes	No	Rate
Multiple Dependent Claim(s) Present				No	\$260
Basic Filing Fee for Regular Applications					\$370
<i>Total Filing Fee for Large Entity Applications</i>					\$740
<i>Total Filing Fee for Small Entity Applications(1/2 of Large Entity)</i>					\$370

15) **Small Entity Statement(s)**

- Applicant is a small entity under 37 CFR 1.9 and 1.7.

16) **Fee payment being made at this time**

<input type="checkbox"/>	Large Entity basic filing fee	\$0
<input checked="" type="checkbox"/>	Small Entity basic filing fee	\$370
<input type="checkbox"/>	Three month extension fee under 1.17(a)(3)	\$460
TOTAL FEES ENCLOSED		\$830

17) **Method of payment of fees**

<input checked="" type="checkbox"/>	Check in the amount of	\$830
<input type="checkbox"/>	Charge Account No. 4-2219 in the amount of	\$0

18) **Authorization to charge additional fees**

The Commissioner is hereby granted general authorization under 37 CFR 1.25, effective for the pendency of the present application, to charge any underpayment of the fees set forth in 37 CFR 1.16 and 1.17, and the assignment recordal fee if any, and to credit any overpayment of those fees, to Deposit Account No. 4-2219, referencing our docket number 12354.

.....
KEITH H. ORUM
REGISTRATION NUMBER 33985


ANDREW D. BABCOCK
REGISTRATION NUMBER 44517

.....
GEORGE F. DVORAK
REGISTRATION NUMBER 17656

.....
SUSAN M. KEATING
REGISTRATION NUMBER 41887